

## City Commission Policy #2001

### Administration of Landscape Fee- In-Lieu Funds

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**DEPARTMENT:** Community Beautification and Waste Management

**DATE ADOPTED:** April 10, 2002

**DATE OF LAST REVISION:** September 13, 2017

**2001.01 Authority:** The City Commission.

**2001.02 Scope and Applicability:** This policy shall be used in the administration of all fees collected in-lieu-of on-site urban forest requirements and landscaping, under Sections 5-85(d)(4) and 5-85(f) of the Land Development Code.

**2001.03 Policy Statement:** Fees collected by the Growth Management Department, in-lieu-of on-site urban forest requirements and landscaping under Sections 5-85(d)(4) and 5-85(f) of the Land Development Code shall be deposited in the accounts noted below for landscaping and preservation projects in the downtown area and for areas outside of the downtown area as provided in Section 2001.06 below.

**2001.04 Definitions:**

**Maintenance and Preservation Techniques:** Includes an inventory of trees, the establishment and maintenance of new and existing trees. This includes pruning, irrigation, fertilization, bracing, mulching, transplanting, and the diagnosis and treatment of disease, insects, construction impacts, and environmental stresses. Also includes appropriate technical support and training necessary to ensure the preservation of City owned trees and landscaping due to infrastructure improvements or other activities detrimental to their survivability. Maintenance and preservation techniques shall be in accordance with standards established by the International Society of Arboriculture (ISA).

**2001.05 Responsibilities:**

The General Manager of Community Beautification and Waste Management or designee has the responsibility for the administration of this policy and the administration of the disbursement of funds collected in-lieu-of on-site urban forest requirements and landscaping, under Sections 5-85(d)(4) and 5-85(f) of the Land Development Code. All activities performed under the provisions of this policy shall be performed and permitted according to the applicable City, State, and Federal requirements. The General Manager of Community Beautification and Waste Management or designee shall maintain the appropriate records to document compliance with the procedures of this policy.

**2001.06 Procedures:**

A. The Growth Management Department shall collect landscape fees in-lieu-of on-site plantings, under Section 5-85(d)(4) of the Land Development Code at the time an environment permit is issued, and deposit these funds in the “C-3 fees-in-lieu” account designated by the City’s Department of Management Administration. Funds from the “C-3 fees-in-lieu” account shall be used for landscaping, beautification, and signage projects on public property (local, State, Regional or Federal) in the Downtown Zoning Districts and for tree maintenance and preservation techniques for City approved projects.

1. The “C-3” funds shall not be used for landscaping, beautification and signage projects on private property.
2. Expenditures of funds for projects on non-City owned property shall be subject to the provisions of Section 2001.07.
3. The following prioritization for the allocation of funding from the “C-3” account shall be utilized:
  - i. Planting of new trees and landscaping on City owned property
  - ii. Beautification projects on City owned property
  - iii. Signage on City owned property
  - iv. Planting of new trees and landscaping on non-City owned public property
  - v. Beautification projects on non-City owned public property
  - vi. Signage on non-City owned public property
4. Expenditures for projects shall be in accordance with the City procurement policies and procedures. The General Manager of Community Beautification and Waste Management or designee shall be authorized to approve expenditures on City properties for up to \$100,000. The City Manager or designee shall be authorized to approve expenditures on City properties for up to \$250,000.

B. The Growth Management Department shall collect fees in-lieu-of required tree plantings, as provided in Section 5-85(f) of the Land Development Code and deposit these funds in the “Off-site replanting” account designated by the City’s Department of Management Administration. “Off-site replanting” funds shall be used for tree planting, landscaping projects, and for tree care, maintenance and preservation techniques throughout the city.

1. The predominant intent of the “Off-site replanting” accounts are to be used for public projects (i.e., City, County, State and Federal). These funds may be utilized for private tree planting. Expenditures of funds for projects on non-City owned property shall be subject to the provisions of Section 2001.07. These funds shall not be used to satisfy landscaping permit requirements for developments.

2. The following prioritization for the allocation of funding from the “Off-site” Trust Fund shall be utilized:

- i. Maintenance and preservation of any City owned tree within the Downtown Zoning Districts
- ii. Planting of new trees and landscaping projects on City owned property
- iii. Preservation and maintenance, of patriarch trees within City property
- iv. Preservation and maintenance, of (non-patriarch) trees within City property
- v. Planting of new trees within the canopy road protection zone
- vi. Planting trees on property owned by a not-for-profit organization when a substantial public benefit is provided

vii. Planting trees on property owned by a private organization when a substantial public benefit is provided

viii. Planting trees on private residential property when a substantial public benefit is provided.

C. Expenditures for projects shall be in accordance with the City procurement policies and procedures. The General Manager of Community Beautification and Waste Management or designee shall be authorized to approve expenditures on City properties for up to \$100,000. The City Manager or designee shall be authorized to approve expenditures on City properties for up to \$250,000.

**2001.07 Expenditures on Non-City Owned Properties:**

- A. Expenditures for planting on non-City owned properties may be approved so long as the expenditure can be demonstrated to promote a substantial public benefit.
- B. All expenditures for planting trees on non-City owned properties 100 feet or greater from the centerline of an adjacent roadway shall be approved by the City Commission.
- C. All expenditures for planting trees on non-City owned properties within 100 feet from the centerline of an adjacent roadway shall be approved by the City Manager or their designee.
- D. Tree and landscape projects on both City and non-City owned properties shall only include native plant species.
- E. The General Manager of Community Beautification and Waste Management or designee shall approve the planting plan.
- F. The applicant must enter a two-year maintenance agreement with the City. If the recipient of the funds does not maintain the plantings, the recipient will no longer be eligible for further funding pursuant to this policy.

**2001.08 Exceptions:** N/A.

**2001.09 Sunset Provision:** This policy is subject to sunset review by the City Commission at least once every five (5) years from the date adopted or last revised. Revisions to this policy will become effective immediately upon City Commission approval.

**2001.10 Effective Date:** This policy shall become effective on April 10, 2002.

**2001.11 Revised:** December 15, 2004

**2001.12 Amended:** May 28, 2008

**2001.13 Renewed:** December 12, 2013

**2001.14 Amended:** September 13, 2017